

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE: Jennifer L. Shinn Madden	Case No. 24-10354-amc Chapter 13
Santander Bank, N.A., Movant	
vs.	
Jennifer L. Shinn Madden , Debtor	

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 PLAN**

Santander Bank, N.A. ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 9), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on February 2, 2024.
2. Movant holds a security interest in the Debtor's real property located at 7146 Cottage St, Philadelphia, PA 19135 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on February 19, 2024 (Doc 9).
4. The Plan includes payments toward the Note and Mortgage with Movant, however the figures used by the Debtor are inaccurate. Although Movant has not yet filed its proof of claim, it is anticipated that the claim will show the pre-petition arrearage due Movant is \$23,086.31, whereas the Plan proposes to pay only \$10,881.00.
5. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§

1322(b)(3) and 1325(a)(5) and cannot be confirmed.

6. Movant objects to any plan which proposes to pay it anything less than \$23,086.31 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

Attorney for Creditor

BROCK & SCOTT, PLLC

3825 Forrestgate Drive

Winston Salem, NC 27103

Telephone: (844) 856-6646

Facsimile: (704) 369-0760

E-Mail: PABKR@brockandscott.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE: Jennifer L. Shinn Madden	Case No. 24-10354-amc Chapter 13
Santander Bank, N.A., Movant	
vs.	
Jennifer L. Shinn Madden , Debtor	

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Objection To Confirmation Of Debtor's Chapter 13 Plan has been electronically served or mailed, postage prepaid on this day to the following:

Via Electronic Notice:

MICHAEL A. CIBIK, Debtor's Attorney
1500 Walnut Street
Suite 900
Philadelphia, PA 19102
help@cibiklaw.com

SCOTT F. WATERMAN [Chapter 13], Bankruptcy Trustee
2901 St. Lawrence Ave.
Suite 100
Reading, PA 19606

Via First Class Mail:

Jennifer L. Shinn Madden
7146 Cottage St
Philadelphia, PA 19135-1202

Date: February 29, 2024

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

Attorney for Creditor

BROCK & SCOTT, PLLC

3825 Forrestgate Drive

Winston Salem, NC 27103

Telephone: (844) 856-6646

Facsimile: (704) 369-0760

E-Mail: PABKR@brockandscott.com